



PATENT
Docket No. 282172000902
Client Ref. 408.11

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Derek J. HEI et al.

Serial No.: 10/051,976

Filing Date: January 16, 2002

For: METHODS AND DEVICES FOR THE
REMOVAL OF PSORALENS FROM
BLOOD PRODUCTS

Examiner: D. Naff

Group Art Unit: 1651

DECLARATION OF DEREK J. HEI
PURSUANT TO 37 C.F.R § 1.132

MS RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, Derek J. Hei, declare as follows:

1. I am one of the joint inventors of the subject matter presently claimed in the above-referenced patent application U.S. Ser. No. 10/051,976, and I am familiar with the contents thereof.

2. I was employed by the Assignee of U.S. Ser. No. 10/051,976 at the time of invention of the subject matter claimed in this patent application and had an obligation to assign my rights as inventor to the Assignee.

3. I have reviewed U.S. Patent No. 5,593,823 on which I am not named as an inventor.

4. In particular, I have reviewed column 53, lines 43-63 of U.S. Patent No. 5,593,823. This text discusses a decontamination approach to removing photoinactivation

compound from a treated material after phototreatment which involves a capture device incorporating an adsorbent material. This text notes that the contemplated device could contain any of the following adsorptive materials: Amberlite XAD-4 resin; Amberlite XAD-7 resin; Amberlite 200; Amberlite DP-1; Amberlite XAD-2; and Amberlite XAD-16.

5. The subject matter that is discussed in column 53, lines 43-63 of U.S. Patent No. 5,593,823 and in paragraph 4 above is not claimed in that patent.

6. I am the sole inventor of the invention that is discussed in paragraph 4 above.

7. The inventors named in U.S. Patent No. 5,593,823 derived their knowledge of the invention discussed in paragraph 4 above from me. In the course of developing compounds and devices for removing pathogens from blood and blood products, inventors named in U.S. Patent No. 5,593,823 learned of my work through discussions and/or internal reports of my work.

8. I am the sole inventor of the subject matter of claim 1 and claim 10 of the present application, U.S. Ser. No. 10/051,976. Mr. George Cimino, joint inventor on the present application, learned of my work through discussions and/or internal reports of my work and therefore derived his knowledge of my invention from me.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

7/14/04
Date

Derek J. HEI
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